

RURAL COMMUNITY INSURANCE COMPANY,)	AGBCA No. 2002-120-F
(Kenneth Vestal - Compliance))	
)	
Appellant)	
)	
Representing the Appellant:)	
)	
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DECISION OF THE BOARD OF CONTRACT APPEALS

September 30, 2003

Before POLLACK, VERGILIO, and WESTBROOK, Administrative Judges.

Opinion for the Board by Administrative Judge WESTBROOK.

This appeal arises out of a Standard Reinsurance Agreement (SRA) between Rural Community Insurance Company (RCIC or Appellant) of Minneapolis, Minnesota, and the Federal Crop Insurance Corporation (FCIC). Under the SRA, RCIC sells and administers multi-peril crop insurance (MPCI) which insurance is reinsured by FCIC. The Risk Management Agency (RMA), an agency of the U.S. Department of Agriculture (USDA), administers and oversees the federal crop insurance programs on behalf of FCIC.

RCIC appeals a February 12, 2002 determination by the RMA Deputy Administrator of Risk Compliance that RCIC had overpaid indemnities in the amount of \$278,927 to Kenneth Vestal for his 1998 nursery loss. RCIC filed a notice of appeal which was timely received at the Board on March 11, 2002. The Board has jurisdiction pursuant to regulation, 7 CFR 400.169. The parties filed pleadings and FCIC submitted an Appeal File. After discovery, the parties elected

to submit the appeal on the written record pursuant to Board Rule 11. A schedule for submission of briefs was set. However, prior to the date for receipt of opening briefs, the parties negotiated a settlement of all issues. The Board has been furnished a copy of the Settlement Agreement and Release executed by both parties. RCIC has requested that the Board dismiss the appeal with prejudice.

DECISION

The parties having settled the appeal, it is hereby dismissed with prejudice.

ANNE W. WESTBROOK
Administrative Judge

Concurring:

HOWARD A. POLLACK
Administrative Judge

JOSEPH A. VERGILIO
Administrative Judge

Issued at Washington, D.C.
September 30, 2003